

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

Plaintiff,

CHRISTOPHER VAUGHN SCHLAX,

Defendant.

Case No. 1:22-CR-2109-SAB-2

CRIMINAL MINUTES

DATE: APRIL 10, 2024

LOCATION: YAKIMA, WA

SENTENCING HEARING

CHIEF JUDGE STANLEY A. BASTIAN

Michelle Fox

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Marilynn McMartin

Courtroom Deputy

Law Clerk

Interpreter

Court Reporter

Courtney Pratten

Nick Mirr

Government Counsel

Defense Counsel

United States Probation Officer: Jennifer Dykstra

Open Court

Chambers

Telecon/Video

Defendant present and in custody of the US Marshal.

Court outlines the case. Defendant pled guilty. Court summarizes maximum penalties and guidelines. Court has reviewed all of the materials submitted and presentence report. Court has reviewed the presentence report. Restitution is requested. 22, I, 60 months, mandatory minimum.

No objections to the presentence report.

Court accepts and adopts the presentence report.

Court understands there may be an issue of restitution and so the agent will be testifying?

C. Pratten indicates that counsel have spoken and do not believe the agent needs to testify.

ORDER FORTHCOMING

CONVENED: 8:30 A.M.

ADJOURNED: 9:00 A.M.

TIME: 30 MIN.

CALENDARED [X]

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C. Pratten presents argument and outlines recommendations. 60 months. 3 years Supervised Release. Joint and several restitution, as outlined in ECF No. 92.

Court questions counsel regarding restitution. The total is 3,811,444.20.

C. Pratten indicates it is 3,811,444.24.

Court asks if it can be joint and several if the co-defendant has not pled guilty.

C. Pratten believes it can still be joint and several.

N. Mirr agrees to the restitution. No objection to holding the restitution until co-defendant is finalized or can set joint and several.

Court will order the restitution and set it joint and several even though there is no other defendant yet.

N. Mirr presents argument and outlines recommendations. 60 months and 3 years Supervised Release.

Court asks if the parties were asking for a concurrent or consecutive sentence. N. Mirr indicates that they are requesting 5 years concurrent on all 3 charges. C. Pratten agrees.

Court speaks to the defendant.

Defendant speaks to the Court.

Court speaks to the defendant. Court outlines the 3553 factors. Accept recommendation of 60 months on each count to run concurrently.

Imprisonment: 60 months. Credit for time served.

Court asks if defendant agrees to all conditions and does he waive the reading of the conditions.

N. Mirr indicates defendant waives reading the conditions.

Supervised Release: 3 years with all the standard conditions and the following special conditions:

1. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

2. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.

3. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

4. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

5. You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

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SPA: \$100.00.

Fine: Waived.

Restitution: \$423,654.64 to Lineage Logistics. \$1,543,067.60 to Eagle West Insurance Company. \$1,844,722 to Country Mutual Insurance Company. Total Restitution: \$3,811,444.24.

N. Mirr asks to recommend Sheridan and RDAP. Court will recommend Sheridan and RDAP.

Waiver of Right to Appeal discussed.